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DIVISION OF INTERNATIONAL LAW

Pamphlet No. 10

THE FINAL ACTS OF THE FIRST AND SECOND HAGUE PEACE CONFERENCES, TOGETHER WITH THE DRAFT CONVENTION ON A JUDICIAL ARBITRATION COURT

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1915



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Preface

In view of the very great interest at the present time in the Conventions and signed Declarations of the First and Second Hague Conferences, and particularly because of the need of accurate information as to ratifications of and adhesions to the Conventions and Declarations relating to war, the Endowment has prepared a series of pamphlets in order that the public may learn from reliable sources the status of these international agreements and the extent to which the Powers now at war are bound by their provisions.

The first pamphlet of this series (No. 3 of the pamphlet series of the Division of International Law) contains the respective Tables of Signatures, Ratifications, Adhesions and Reservations of the Conventions and Declarations of the two Conferences. The compilation has been made from official sources, and the tables have been certified as accurate by the Department of State of the United States. In all cases the reservations contained in the *procès-verbaux*, but only referred to in the official tables issued by the International Bureau of the Permanent Court of Arbitration, have been translated and printed in full, with the references to the official reports where their texts appear. Without the complete text of a reservation it is impossible to know to what extent a Power is bound by a Convention or Declaration.

The Conventions and Declarations, as the case may be, of the two Conferences, are printed separately in the succeeding numbers of the pamphlets, accompanied by the respective lists of countries which have (a) *ratified*, or (b) *adhered to*, or (c) *signed but not ratified* them, with the date of the particular action taken. Each Convention or Declaration is followed also by the texts of reservations, as indicated above respecting the pamphlet containing the Tables of Signatures, Ratifications, etc. (No. 3). The English translations of the original French texts of the several Conventions, Declarations and Final Acts of the Conferences reproduce the official translations of the Department of State, except that a few obvious misprints, and an occasional mistranslation, have been corrected. Marginal notes have been added to facilitate reference.

Inasmuch as most of the Conventions and Declarations of the Conferences concerning war contain a clause to the effect that they only bind belligerents which have ratified them, and then only if all the belligerents are contracting Powers, there is appended a list of the countries now at war and the dates of the formal declarations or announcements of the existence of a state of war.

It should be noted that the Conventions and Declarations are not binding prior to the deposit of ratifications at The Hague. The mere signature of these conventional agreements may be regarded as the indication of an intention to ratify them, but creates no legal obligation. Adhesion has the effect of ratification. In this relation it is proper to remark that only the formal agreements of the Conferences—such as the Conventions and the signed Declarations—contemplate ratification. The informal agreements—such as the unsigned Declarations, Resolutions, Recommendations, and *Vaux*—are not signed separately. They are contained in the Final Act, which is an official summary of the proceedings of each Conference, and as such is signed.

A word should be said about the additional protocol to the Convention for an International Prize Court. It was not agreed upon at the Second Hague Conference, but was subsequently negotiated in order to remove objections to the Prize Court Convention. The signatures to it are indicated in the last column of the table of signatures of the Second Conference.

The Conventions and Declarations are numbered as in the Final Acts.

The official published proceedings of the First Conference are referred to in the footnotes as *Procès-verbaux*, those of the Second as *Actes et documents*. The full titles of the publications are respectively: (1) *Conférence internationale de la paix. La Haye, 18 mai-29 juillet, 1899. Ministère des affaires étrangères. Nouvelle édition. La Haye. Martinus Nijhoff, 1907*; (2) *Deuxième conférence internationale de la paix. La Haye, 15 juin-18 octobre, 1907. Actes et documents. Ministère des affaires étrangères. La Haye, imprimerie nationale, 1907.*

JAMES BROWN SCOTT,
Director of the Division of International Law.

WASHINGTON, D. C.,
December 23, 1914.

THE FINAL ACTS OF THE FIRST AND SECOND HAGUE PEACE
CONFERENCES, TOGETHER WITH THE DRAFT CONVENTION
ON A JUDICIAL ARBITRATION COURT

1899

FINAL ACT of the International Peace Conference.—Signed at The Hague, July 29, 1899.

The International Peace Conference, convoked in the best interests of humanity by His Majesty the Emperor of All the Russias, assembled, on the invitation of the Government of Her Majesty the Queen of the Netherlands, in the Royal House in the Wood at The Hague on the 18th May, 1899.

The Powers enumerated in the following list took part in the Conference, to which they appointed the delegates named below :

For Germany :

His Excellency Count de Münster, German Ambassador at Paris, delegate plenipotentiary ;

The Baron de Stengel, professor at the University of Munich, second delegate ;

1907

FINAL ACT of the Second International Peace Conference.—Signed at The Hague, October 18, 1907.

The Second International Peace Conference, proposed in the first instance by the President of the United States of America, having been convoked, on the invitation of His Majesty the Emperor of All the Russias, by Her Majesty the Queen of the Netherlands, assembled on the 15th June, 1907, at The Hague, in the Hall of the Knights, for the purpose of giving a fresh development to the humanitarian principles which served as a basis for the work of the First Conference of 1899.

The following Powers took part in the Conference, and appointed the delegates named below :

Germany :

His Excellency Baron Marschall de Bieberstein, Minister of State, Imperial Ambassador at Constantinople, first delegate plenipotentiary ;

Mr. Kriege, Imperial Envoy on Extraordinary Mission at the

Convocation.

Delegates.

Germany.

1899

Dr. Zorn, Judicial Privy Councilor; professor at the University of Königsberg, scientific delegate;
 Colonel de Gross de Schwarzhoff, Commandant of the 5th Regiment of Infantry, No. 94, technical delegate;
 Captain Siegel, Naval Attaché to the Imperial Embassy at Paris, technical delegate.

1907

present Conference, Privy Councilor of Legation and Legal Adviser to the Ministry for Foreign Affairs, member of the Permanent Court of Arbitration, second delegate plenipotentiary;
 Rear-Admiral Siegel, Naval Attaché to the Imperial Embassy at Paris, naval delegate;
 Major General de Gündell, Quartermaster General of the General Staff of the Royal Prussian Army, military delegate;
 Mr. Zorn, professor to the Faculty of Law at the University of Bonn, Judicial Privy Councilor, member of the Prussian Upper Chamber, and Crown Syndic, scientific delegate;
 Mr. Göppert, Counselor of Legation and Counselor attached to the Department for Foreign Affairs, assistant delegate;
 Mr. Retzmann, Lieutenant Commander on the Naval General Staff, assistant naval delegate.

United States.

For the United States of America:¹
 His Excellency Mr. Andrew D. White, United States Ambassador at Berlin, delegate plenipotentiary;

The United States of America:
 His Excellency Mr. Joseph H. Choate, ex-Ambassador at London, Ambassador Extraordinary, delegate plenipotentiary;

¹The order of the countries in the original of the 1899 Final Act has been here departed from in a few instances (United States, Mexico and Bulgaria) for the purpose of presenting each country's respective delegations to the 1899 and 1907 Conferences in juxtaposition.

1899

- The Honorable Seth Low, president of the Colombia University at New York, delegate plenipotentiary ;
- Mr. Stanford Newel, Envoy Extraordinary and Minister Plenipotentiary at The Hague, delegate plenipotentiary ;
- Captain Alfred T. Mahan, United States Navy, delegate plenipotentiary ;
- Mr. William Crozier, Captain of Artillery, delegate plenipotentiary ;
- Mr. Frederick W. Holls, advocate at New York, delegate and secretary to the delegation.

1907

- His Excellency Mr. Horace Porter, ex-Ambassador at Paris, Ambassador Extraordinary, delegate plenipotentiary ;
- His Excellency Mr. Uriah M. Rose, Ambassador Extraordinary, delegate plenipotentiary ;
- His Excellency Mr. David Jayne Hill, ex-Assistant Secretary of State, Envoy Extraordinary and Minister Plenipotentiary at The Hague, delegate plenipotentiary ;
- Rear-Admiral Charles S. Sperry, ex-president of the Naval War College, Minister Plenipotentiary, delegate plenipotentiary ;
- Brigadier General George B. Davis, Judge Advocate General of the United States Army, Minister Plenipotentiary, delegate plenipotentiary ;
- Mr. William I. Buchanan, ex-Minister at Buenos Aires, ex-Minister at Panama, Minister Plenipotentiary, delegate plenipotentiary ;
- Mr. James Brown Scott, Solicitor for the Department of State, technical delegate ;
- Mr. Charles Henry Butler, Reporter of the Supreme Court, technical delegate.

Argentine
Republic.

1899

For Austria-Hungary :

His Excellency Count R. Wel-
sersheimb, Ambassador Ex-
traordinary and Plenipoten-
tiary, first delegate, plenipo-
tiary ;

Mr. Alexandre Okolicsányi
d'Okolicsna, Envoy Extraor-
dinary and Minister Plenipo-
tentiary at The Hague, sec-

1907

The Argentine Republic :

His Excellency Mr. Roque
Saenz Peña, ex-Minister for
Foreign Affairs, Envoy Ex-
traordinary and Minister
Plenipotentiary at Rome,
member of the Permanent
Court of Arbitration, delegate
plenipotentiary ;

His Excellency Mr. Luis M.
Drago, ex-Minister for For-
eign Affairs, deputy member
of the Permanent Court of
Arbitration, delegate plenipo-
tentiary ;

His Excellency Mr. Carlos
Rodríguez Larreta, ex-Minis-
ter for Foreign Affairs,
member of the Permanent
Court of Arbitration, dele-
gate plenipotentiary ;

General Francisco Reynolds,
Military Attaché at Berlin,
technical delegate ;

Captain Juan A. Martin, ex-
Minister of Marine, Naval
Attaché at London, technical
delegate.

Austria-Hungary :

His Excellency Mr. Gaëtan
Mérey de Kapos-Mére, Privy
Councilor of His Imperial
and Royal Apostolic Majesty,
Ambassador Extraordinary
and Plenipotentiary, first dele-
gate plenipotentiary ;

His Excellency Baron Charles
de Macchio, Envoy Extraor-

Austria-
Hungary.

1899

ond delegate, plenipotentiary;
 Mr. Gaëtan Mérey de Kapos-
 Mére, Counselor of Embassy
 and Chief of Cabinet of the
 Minister for Foreign Affairs,
 assistant delegate;
 Mr. Henri Lammasch, profes-
 sor at the University of Vi-
 enna, assistant delegate;
 Mr. Victor de Khuepach zu
 Ried, Zimmerlehen and Hasl-
 burg, Lieutenant Colonel on
 the General Staff, assistant
 delegate;
 Count Stanislas Soltyk, Captain
 of Corvette, assistant dele-
 gate.

For Belgium:

His Excellency Mr. Auguste
 Beernaert, Minister of State,
 President of the Chamber of
 Representatives, delegate
 plenipotentiary;

1907

dinary and Minister Pleni-
 potentiary at Athens, second
 delegate plenipotentiary;
 Mr. Henri Lammasch, profes-
 sor at the University of Vi-
 enna, Aulic Councilor, mem-
 ber of the Austrian Upper
 Chamber of the Reichsrath,
 member of the Permanent
 Court of Arbitration, scien-
 tific delegate;
 Mr. Antoine Haus, Rear-Ad-
 miral, naval delegate;
 Baron Wladimir, Giesl de
 Gieslingen, Major General,
 Military Plenipotentiary at
 the Imperial and Royal Em-
 bassy at Constantinople and
 at the Imperial and Royal
 Legation at Athens, military
 delegate;
 The Chevalier Othon de Weil,
 Aulic and Ministerial Coun-
 cilor at the Ministry of the
 Imperial and Royal House-
 hold and of Foreign Affairs,
 delegate;
 Mr. Jules Szilassy de Szilas et
 Pilis, Counselor of Legation,
 delegate;
 Mr. Emile Konek de Norwall,
 Naval Lieutenant of the First
 Class, delegate attached.

Belgium:

His Excellency Mr. A. Beer-
 naert, Minister of State,
 member of the Chamber of
 Representatives, member of
 the Institute of France and

Belgium.

1899

The Count de Grelle Rogier,
 Envoy Extraordinary and
 Minister Plenipotentiary at
 The Hague, delegate plenipo-
 tentiary ;
 The Chevalier Descamps, Sena-
 tor, delegate plenipotentiary.

Bolivia

Brazil

1907

of the Royal Academies of
 Belgium and Roumania, hon-
 orary member of the Insti-
 tute of International Law,
 member of the Permanent
 Court of Arbitration, dele-
 gate plenipotentiary ;
 His Excellency Mr. J. van den
 Heuvel, Minister of State,
 ex-Minister of Justice, dele-
 gate plenipotentiary ;
 His Excellency Baron Guil-
 laume, Envoy Extraordinary
 and Minister Plenipotentiary
 at The Hague, member of the
 Royal Academy of Rouma-
 nia, delegate plenipotentiary.

Bolivia :

His Excellency Mr. Claudio
 Pinilla, Minister for Foreign
 Affairs, member of the Per-
 manent Court of Arbitration,
 delegate plenipotentiary ;
 His Excellency Mr. Fernando
 E. Guachalla, Minister Pleni-
 potentiary at London, dele-
 gate plenipotentiary.

Brazil :

His Excellency Mr. Ruy Bar-
 bosa, Ambassador Extraor-
 dinary and Plenipotentiary,
 Vice-President of the Senate,
 member of the Permanent
 Court of Arbitration, dele-
 gate plenipotentiary ;
 His Excellency Mr. Eduardo F.
 S. dos Santos Lisbôa, Envoy
 Extraordinary and Minister

1899

For Bulgaria :¹

Dr. Dimitri I. Stancioff, Diplomatic Agent at St. Petersburg, first delegate, plenipotentiary ;

Major Christo Hessaptchieff, Military Attaché at Belgrade, second delegate, plenipotentiary.

1907

Plenipotentiary at The Hague, delegate plenipotentiary ;

Colonel Roberto Trompowsky Leitão de Almeida, Military Attaché at The Hague, technical delegate ;

Commander Tancredo Burlamaqui de Moura, technical delegate.

Bulgaria :

Bulgaria.

Major General on the Staff Vrbán Vinaroff, General *à la suite*, first delegate plenipotentiary ;

Mr. Ivan Karandjouloff, Procureur-Général of the Court of Cassation, second delegate plenipotentiary ;

Commander S. Dimitrieff, Chief of the Staff of the Bulgarian Flotilla, delegate.

Chile :

Chile.

His Excellency Mr. Domingo Gana, Envoy Extraordinary and Minister Plenipotentiary at London, delegate plenipotentiary ;

His Excellency Mr. Augusto Matte, Envoy Extraordinary and Minister Plenipotentiary at Berlin, delegate plenipotentiary ;

His Excellency Mr. Carlos Concha, ex-Minister of War, ex-President of the Chamber of Deputies, ex-Envoy Extraordinary and Minister Plenipotentiary at Buenos

¹See footnote on p. 2.

1899

China.

For China :

- Mr. Yang Yü, Envoy Extraordinary and Minister Plenipotentiary at St. Petersburg, first delegate, plenipotentiary ;
 Mr. Lou-Tseng-Tsiang, second delegate ;
 Mr. Hoo-Wei-Teh, second delegate ;
 Mr. Ho-Yen-Cheng, Counselor of Legation, assistant delegate.

Colombia.

1907

Aires, delegate plenipotentiary.

China :

- His Excellency Mr. Lou-Tseng-Tsiang, Ambassador Extraordinary, delegate plenipotentiary ;
 His Excellency the Honorable John W. Foster, ex-Secretary of State at the United States Department for Foreign Affairs, delegate plenipotentiary ;
 His Excellency Mr. Tsien-Sun, Envoy Extraordinary and Minister Plenipotentiary at The Hague, delegate plenipotentiary ;
 Colonel W. S. Y. Tinge, Judge Advocate General at the War Office, military delegate ;
 Mr. Chang Ching Tong, Secretary of Legation, assistant delegate ;
 Mr. Chao-Hi-Chiu, ex-Secretary of the Imperial Chinese Mission and Legation at Paris and Rome, assistant delegate.

Colombia :

- General Jorge Holguin, delegate plenipotentiary ;
 Mr. Santiago Perez Triana, delegate plenipotentiary ;
 His Excellency General M. Vargas, Envoy Extraordinary and Minister Plenipotentiary at Paris, delegate plenipotentiary.

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The Republic of Cuba :

Cuba.

Mr. Antonio Sanchez de Bustamante, professor of international law at the University of Havana, Senator of the Republic, delegate plenipotentiary ;

His Excellency Mr. Gonzalo de Quesada y Arostégui, Envoy Extraordinary and Minister Plenipotentiary at Washington, delegate plenipotentiary ;

Mr. Manuel Sanguily, ex-director of the Institute of Secondary Education at Havana, Senator of the Republic, delegate plenipotentiary.

For Denmark :

Chamberlain Fr. E. de Bille, Envoy Extraordinary and Minister Plenipotentiary at London, first delegate, plenipotentiary ;

Mr. J. G. F. von Schnack, Colonel of Artillery, ex-Minister for War, second delegate, plenipotentiary.

Denmark :

Denmark.

His Excellency Mr. C. Brun, Envoy Extraordinary and Minister Plenipotentiary at Washington, first delegate plenipotentiary ;

Rear-Admiral C. F. Scheller, second delegate plenipotentiary ;

Mr. A. Vedel, Chamberlain, Head of Department at the Royal Ministry for Foreign Affairs, third delegate plenipotentiary.

The Dominican Republic :

Dominican Republic.

Mr. Francisco Henriquez i Carvajal, ex-Minister for Foreign Affairs, member of the Permanent Court of Arbitration, delegate plenipotentiary ;

Mr. Apolinar Tejera, rector of the Professional Institute of

1899

Ecuador.

Spain.

For Spain :

His Excellency Duke de Te-
tuan, ex-Minister for Foreign
Affairs, first delegate, pleni-
potentiary ;

Mr. W. Ramirez de Villa Ur-
rutia, Envoy Extraordinary
and Minister Plenipotentiary
at Brussels, delegate pleni-
potentiary ;

Mr. Arthur de Baguer, Envoy
Extraordinary and Minister
Plenipotentiary at The Hague,
delegate plenipotentiary ;

The Count del Serrallo, Colo-
nel, Military Attaché to the
Spanish Legation at Brus-
sels, assistant delegate.

France.

For France :

Mr. Léon Bourgeois, ex-Presi-
dent of Council, ex-Minister

1907

Santo Domingo, member of
the Permanent Court of Ar-
bitration, delegate pleni-
potentiary.

The Republic of Ecuador :

His Excellency Mr. Victor
Rendón, Envoy Extraordi-
nary and Minister Pleni-
potentiary at Paris and Madrid,
delegate plenipotentiary ;

Mr. Enrique Dorn y de Alsua,
Chargé d'Affaires, delegate
plenipotentiary.

Spain :

His Excellency Mr. W. R. de
Villa-Urrutia, Senator, ex-
Minister for Foreign Affairs,
Ambassador Extraordinary
and Plenipotentiary at Lon-
don, first delegate pleni-
potentiary ;

His Excellency Mr. José de la
Rica y Calvo, Envoy Ex-
traordinary and Minister
Plenipotentiary at The Hague,
delegate plenipotentiary ;

Mr. Gabriel Maura y Gamazo,
Count de la Mortera, Deputy
to the Cortes, delegate pleni-
potentiary ;

Mr. J. Jofre Montojo, Colonel
on the Staff, Aide-de-camp to
the Minister of War, assist-
ant military delegate ;

Captain Francisco Chacon, as-
sistant naval delegate.

France :

His Excellency Mr. Léon Bour-
geois, Ambassador Extraor-

1899

- for Foreign Affairs, member of the Chamber of Deputies, first delegate, plenipotentiary ;
- Mr. Georges Bihourd, Envoy Extraordinary and Minister Plenipotentiary at The Hague, second delegate, plenipotentiary ;
- The Baron d'Estournelles de Constant, Minister Plenipotentiary, member of the Chamber of Deputies, third delegate, plenipotentiary ;
- Mr. Mounier, General of Brigade, technical delegate.
- Mr. Péphau, Rear-Admiral, technical delegate ;
- Mr. Louis Renault, professor at the Faculty of Law at Paris, Legal Adviser to the Ministry for Foreign Affairs, technical delegate.

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- dinary, Senator, ex-President of the Council, ex-Minister for Foreign Affairs, member of the Permanent Court of Arbitration, delegate, first plenipotentiary ;
- Baron d'Estournelles de Constant, Senator, Minister Plenipotentiary of the First Class, member of the Permanent Court of Arbitration, delegate, second plenipotentiary ;
- Mr. Louis Renault, professor at the Faculty of Law at Paris, Honorary Minister Plenipotentiary, Legal Adviser to the Ministry for Foreign Affairs, member of the Institute, member of the Permanent Court of Arbitration, delegate, third plenipotentiary ;
- His Excellency Mr. Marcellin Pellet, Envoy Extraordinary and Minister Plenipotentiary at The Hague, delegate, fourth plenipotentiary ;
- General of Division Amourel, military delegate ;
- Rear-Admiral Arago, naval delegate ;
- Mr. Fromageot, advocate at the Court of Appeal at Paris, technical delegate ;
- Captain Lacaze, second naval delegate ;
- Lieutenant Colonel Siben, Military Attaché at Brussels and The Hague, second military delegate.

Great Britain.

1899

For Great Britain and Ireland :

His Excellency the Right Honorable Sir Julian Pauncefote, member of Her Majesty's Privy Council, Ambassador Extraordinary and Plenipotentiary of the United Kingdom at Washington, first delegate, plenipotentiary ;

Sir Henry Howard, Envoy Extraordinary and Minister Plenipotentiary at The Hague, second delegate, plenipotentiary ;

Sir John A. Fisher, Vice-Admiral, technical delegate ;

Sir J. C. Ardagh, Major General, technical delegate ;

Lieutenant Colonel C. à Court, Military Attaché at Brussels and The Hague, assistant technical delegate.

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Great Britain :

His Excellency the Right Honorable Sir Edward Fry, G.C.B., member of the Privy Council, Ambassador Extraordinary, member of the Permanent Court of Arbitration, delegate plenipotentiary ;

His Excellency the Right Honorable Sir Ernest Mason Satow, G.C.M.G., member of the Privy Council, member of the Permanent Court of Arbitration, delegate plenipotentiary ;

His Excellency the Right Honorable Lord Reay, G.C.S.I., G.C.I.E., member of the Privy Council, ex-president of the Institute of International Law, delegate plenipotentiary ;

His Excellency Sir Henry Howard, K.C.M.G., C.B., Envoy Extraordinary and Minister Plenipotentiary at The Hague, delegate plenipotentiary ;

Lieutenant General Sir Edmond R. Elles, G.C.I.E., K.C.B., military delegate ;

Captain C. L. Ottley, M.V.O., R.N., A.D.C., naval delegate ;

Mr. Eyre Crowe, Counselor of Embassy, technical delegate, first secretary to the delegation ;

Mr. Cecil Hurst, Counselor of Embassy, technical delegate,

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For Greece :

Mr. N. Delyannis, ex-President of the Council, ex-Minister for Foreign Affairs, Envoy Extraordinary and Minister Plenipotentiary at Paris, delegate plenipotentiary.

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legal adviser to the delegation ;

Lieutenant Colonel the Honorable Henry Yarde-Buller, D.S.O., Military Attaché at The Hague, technical delegate ;

Commander J. R. Segrave, R. N., technical delegate ;

Major George K. Cockerill, General Staff, technical delegate.

Greece :

Greece.

His Excellency Mr. Cléon Rizo Rangabé, Envoy Extraordinary and Minister Plenipotentiary at Berlin, first delegate plenipotentiary ;

Mr. Georges Streit, professor of international law at the University of Athens, member of the Permanent Court of Arbitration, second delegate plenipotentiary ;

Colonel of Artillery C. Sapountzakis, Chief of the General Staff, technical delegate.

Guatemala :

Guatemala.

Mr. José Tible Machado, Chargé d'Affaires at The Hague and London, member of the Permanent Court of Arbitration, delegate plenipotentiary ;

Mr. Enrique Gomez Carrillo, Chargé d'Affaires at Berlin, delegate plenipotentiary.

The Republic of Haiti :

Haiti.

His Excellency Mr. Jean Joseph

1899

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Italy.

For Italy:

His Excellency Count Nigra,
Italian Ambassador at Vi-
enna, Senator of the King-
dom, first delegate, plenipo-
tentiary ;

Count A. Zannini, Envoy Ex-
traordinary and Minister
Plenipotentiary at The
Hague, second delegate, plen-
ipotentiary ;

The Chevalier Guido Pompilj,
Deputy in the Italian Parlia-
ment, third delegate, plenipo-
tentiary ;

The Chevalier Louis Zuccari,
Major General, technical del-
egate ;

The Chevalier Auguste Bianco,
Captain, Naval Attaché to the
Royal Embassy at London,
technical delegate.

Dalbémar, Envoy Extraordi-
nary and Minister Plenipo-
tentiary at Paris, delegate
plenipotentiary ;

His Excellency Mr. J. N. Léger,
Envoy Extraordinary and
Minister Plenipotentiary at
Washington, delegate pleni-
potentiary ;

Mr. Pierre Hudicourt, ex-pro-
fessor of international public
law, advocate at the bar of
Port au Prince, delegate pleni-
potentiary.

Italy:

His Excellency Count Joseph
Tornielli Brusati di Vergano,
Senator of the Kingdom, Am-
bassador of His Majesty the
King at Paris, member of the
Permanent Court of Arbitra-
tion, president of the Italian
delegation, delegate pleni-
potentiary ;

His Excellency Mr. Guido
Pompilj, Parliamentary Dep-
uty, Under-Secretary of
State at the Royal Ministry
for Foreign Affairs, delegate
plenipotentiary ;

Mr. Guido Fusinato, Councilor
of State, Parliamentary Dep-
uty, ex-Minister of Educa-
tion, delegate plenipotentiary ;

Mr. Marius Nicolis de Robilant,
General of Brigade, technical
delegate ;

Mr. François Castiglia, Captain
in the Navy, technical dele-
gate.

1899

For Japan :

The Baron Hayashi, Envoy Extraordinary and Minister Plenipotentiary at St. Petersburg, first delegate, plenipotentiary ;

Mr. I. Motono, Envoy Extraordinary and Minister Plenipotentiary at Brussels, second delegate, plenipotentiary ;

Colonel Uyehara, technical delegate ;

Captain Sakamoto, Japanese Navy, technical delegate ;

Mr. Nagao Ariga, professor of international law at the Superior Military School and the Naval School of Tokio, technical delegate.

For Luxemburg :

His Excellency Mr. Eyschen, Minister of State, President of the Grand Ducal Government, delegate plenipotentiary ;

The Count de Villers, Chargé d'Affaires at Berlin, delegate plenipotentiary.

For the United States of Mexico :¹

Mr. de Mier, Envoy Extraordinary and Minister Plenipo-

1907

Japan :

His Excellency Mr. Keiroku Tsudzuki, Ambassador Extraordinary and Plenipotentiary, first delegate plenipotentiary ;

His Excellency Mr. Aimaro Sato, Envoy Extraordinary and Minister Plenipotentiary at The Hague, second delegate plenipotentiary ;

Mr. Henry Willard Denison, Legal Adviser to the Imperial Ministry for Foreign Affairs, member of the Permanent Court of Arbitration, technical delegate ;

Major General Yoshifuru Akiyama, Inspector of Cavalry, technical delegate ;

Rear-Admiral Hayao Shimamura, president of the Naval College at Etajima, technical delegate.

Luxemburg :

His Excellency Mr. Eyschen, Minister of State, President of the Grand Ducal Government, delegate plenipotentiary ;

Count de Villers, Chargé d'Affaires at Berlin, delegate plenipotentiary.

Mexico :

His Excellency Mr. Gonzalo A. Esteva, Envoy Extraordinary

Japan.

Luxemburg.

Mexico.

¹See footnote on p. 2.

1899

tentiary at Paris, delegate plenipotentiary ;

Mr. Zenil, Minister Resident at Brussels, delegate plenipotentiary.

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and Minister Plenipotentiary at Rome, first delegate plenipotentiary ;

His Excellency Mr. Sebastian B. de Mier, Envoy Extraordinary and Minister Plenipotentiary at Paris, second delegate plenipotentiary ;

His Excellency Mr. Francisco L. de la Barra, Envoy Extraordinary and Minister Plenipotentiary at Brussels and at The Hague, third delegate plenipotentiary.

Montenegro.

For Montenegro :

His Excellency Mr. de Staal, Privy Councilor, Russian Ambassador at London, delegate plenipotentiary.

Montenegro :

His Excellency Mr. Nélidow, Privy Councilor, Russian Ambassador at Paris, delegate plenipotentiary ;

His Excellency Mr. de Martens, Privy Councilor, permanent member of the Council of the Imperial Russian Ministry for Foreign Affairs, delegate plenipotentiary ;

His Excellency Mr. Tcharykow, Councilor of State, Chamberlain, Envoy Extraordinary and Minister Plenipotentiary of Russia at The Hague, delegate plenipotentiary.

Nicaragua.

Nicaragua :

His Excellency Mr. Crisanto Medina, Envoy Extraordinary and Minister Plenipotentiary at Paris, delegate plenipotentiary.

1899

1907

Norway:¹

Norway.

His Excellency Mr. Francis Hagerup, ex-President of the Council, ex-professor of law, member of the Permanent Court of Arbitration, Envoy Extraordinary and Minister Plenipotentiary at The Hague and Copenhagen, delegate plenipotentiary ;

Mr. Joachim Grieg, ship-owner and Deputy, technical delegate ;

Mr. Christian Lous Lang, Secretary to the Nobel Committee of the Norwegian Storting, technical delegate.

Panama :

Panama.

Mr. Belisario Porrás, delegate plenipotentiary.

Paraguay :

Paraguay.

His Excellency Mr. Eusebio Machain, Envoy Extraordinary and Minister Plenipotentiary at Paris, delegate plenipotentiary.

For the Netherlands :

The Netherlands :

Netherlands.

Jonkheer A. P. C. van Karnebeek, ex-Minister for Foreign Affairs, member of the Second Chamber of the States-General, delegate plenipotentiary ;

General J. C. C. den Beer Poortugael, ex-Minister for War, member of the Council of

Mr. W. H. de Beaufort, ex-Minister for Foreign Affairs, member of the Second Chamber of the States-General, delegate plenipotentiary.

His Excellency Mr. T. M. C. Asser, Minister of State, member of the Council of State, member of the Perma-

¹Sweden and Norway constituted a Union until 1905. For their delegation to the First Conference, see p. 23.

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- State, delegate plenipotentiary ;
- Mr. T. M. C. Asser, member of the Council of State, delegate plenipotentiary ;
- Mr. E. N. Rahusen, member of the First Chamber of the States-General, delegate plenipotentiary ;
- Captain A. P. Tadema, Chief of the Staff of the Netherlands Marine, technical delegate.

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- ment Court of Arbitration, delegate plenipotentiary ;
- His Excellency Jonkheer J. C. C. den Beer Poortugael, Lieutenant General on the retired list, ex-Minister of War, member of the Council of State, delegate plenipotentiary ;
- His Excellency Jonkheer J. A. Röell, Aide-de-camp to Her Majesty the Queen in Extraordinary Service, Vice-Admiral on the retired list, ex-Minister of Marine, delegate plenipotentiary ;
- Mr. J. A. Loeff, ex-Minister of Justice, member of the Second Chamber of the States-General, delegate plenipotentiary ;
- Mr. H. L. van Oordt, Lieutenant Colonel on the Staff, professor at the Higher Military College, technical delegate ;
- Jonkheer W. J. M. van Eysinga, Head of the Political Section at the Ministry for Foreign Affairs, assistant delegate ;
- Jonkheer H. A. van Karnebeek, Gentleman of the Chamber, Assistant Head of Department at the Colonial Office, assistant delegate ;
- Mr. H. G. Surie, Naval Lieutenant of the First Class, technical delegate.

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Peru.

Peru:

His Excellency Mr. Carlos G. Candamo, Envoy Extraordinary and Minister Plenipotentiary at Paris and London, member of the Permanent Court of Arbitration, delegate plenipotentiary ;

Mr. Gustavo de la Fuente, First Secretary of Legation at Paris, assistant delegate.

Persia.

Persia:

His Excellency Samad Khan Momtas-es-Saltaneh, Envoy Extraordinary and Minister Plenipotentiary at Paris, member of the Permanent Court of Arbitration, delegate, first plenipotentiary ;

His Excellency Mirza Ahmed Khan Sadig-ul-Mulkh, Envoy Extraordinary and Minister Plenipotentiary at The Hague, delegate plenipotentiary ;

Mr. Hennebicq, Legal Adviser to the Minister for Foreign Affairs at Teheran, technical delegate.

Portugal.

Portugal:

His Excellency the Marquis de Soveral, Councilor of State, Peer of the Realm, ex-Minister for Foreign Affairs, Envoy Extraordinary and Minister Plenipotentiary at London, Ambassador Extraordinary and Plenipotentiary, delegate plenipotentiary ;

His Excellency Count de Sélir.

For Persia:

Aide-de-Camp General Mirza Riza Khan (Arfa-ud-Dovleh), Envoy Extraordinary and Minister Plenipotentiary at St. Petersburg and Stockholm, first delegate, plenipotentiary ;

Mr. Mirza Samad Khan (Montazis-Saltaneh), Counselor of Legation at St. Petersburg, assistant delegate.

For Portugal:

The Count de Macedo, Peer of the Kingdom, ex-Minister of Marine and the Colonies, Envoy Extraordinary and Minister Plenipotentiary at Madrid, delegate plenipotentiary ;

Mr. d'Ornellas Vasconcellos, Peer of the Kingdom, Envoy Extraordinary and Minister Plenipotentiary at St. Peters-

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burg, delegate plenipotentiary ;

The Count de Sélir, Envoy Extraordinary and Minister Plenipotentiary at The Hague, delegate plenipotentiary ;

Captain Augusto de Castilho, technical delegate ;

Captain on the General Staff Ayres d'Ornellas, technical delegate.

Roumania.

For Roumania :

Mr. Alexandre Beldiman, Envoy Extraordinary and Minister Plenipotentiary at Berlin, first delegate, plenipotentiary ;

Mr. Jean N. Papiniu, Envoy Extraordinary and Minister Plenipotentiary at The Hague, second delegate, plenipotentiary ;

Aide-de-Camp Colonel Constantin Coanda, Director of Artillery at the Ministry for War, technical delegate.

Russia.

For Russia :

His Excellency Mr. de Staal, Privy Councilor, Russian Ambassador at London, delegate plenipotentiary ;

Mr. de Martens, permanent member of the Council of the Imperial Ministry for For-

1907

Envoy Extraordinary and Minister Plenipotentiary at The Hague, delegate plenipotentiary ;

His Excellency Mr. Alberto d'Oliveira, Envoy Extraordinary and Minister Plenipotentiary at Berne, delegate plenipotentiary ;

Lieutenant Colonel Thomaz Antonio Garcia Rosado, General Staff, technical delegate ;

Mr. Guilherme Ivens Ferraz, Lieutenant Commander in the Navy, technical delegate.

Roumania :

His Excellency Mr. Alexandre Beldiman, Envoy Extraordinary and Minister Plenipotentiary at Berlin, first delegate plenipotentiary ;

His Excellency Mr. Edgard Mavrocordato, Envoy Extraordinary and Minister Plenipotentiary at The Hague, second delegate plenipotentiary ;

Captain Alexander Sturdza, General Staff, technical delegate.

Russia :

His Excellency Mr. Nélidow, Privy Councilor, Russian Ambassador at Paris, delegate plenipotentiary ;

His Excellency Mr. de Martens, Privy Councilor, permanent member of the Council of the

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- eign Affairs, Privy Councilor, delegate plenipotentiary ;
- Mr. de Basily, Councilor of State, Chamberlain, Director of the First Department of the Imperial Ministry for Foreign Affairs, delegate plenipotentiary ;
- Mr. Raffalovich, Councilor of State, Agent in France of the Imperial Ministry for Finance, technical delegate ;
- Mr. Gilinsky, Colonel on the General Staff, technical delegate ;
- Count Barantzew, Colonel of Horse Artillery of the Guard, technical delegate ;
- Captain Schéine, Russian Naval Agent in France, technical delegate ;
- Mr. Ovtchinnikow, Naval Lieutenant, professor of jurisprudence, technical delegate.

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- Imperial Ministry for Foreign Affairs, member of the Permanent Court of Arbitration, delegate plenipotentiary ;
- His Excellency Mr. Tcharykow, Councilor of State, Chamberlain, Envoy Extraordinary and Minister Plenipotentiary at The Hague, delegate plenipotentiary ;
- Mr. Prozor, Councilor of State, Chamberlain, Russian Minister at Rio de Janeiro, technical delegate ;
- Major General Yermolow, Military Attaché at London, technical delegate.
- Colonel Michelson, Military Attaché at Berlin, technical delegate ;
- Captain Behr, Naval Attaché at London, technical delegate ;
- Colonel Ovtchinnikow, of the Admiralty, professor of international law at the Naval Academy, technical delegate.
- Salvador :
- Mr. Pedro J. Matheu, Chargé d'Affaires at Paris, member of the Permanent Court of Arbitration, delegate plenipotentiary ;
- Mr. Santiago Perez Triana, Chargé d'Affaires at London, member of the Permanent Court of Arbitration, delegate plenipotentiary.

Salvador.

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Servia.

For Servia :

Mr. Miyatovitch, Envoy Extraordinary and Minister Plenipotentiary at London and The Hague, delegate plenipotentiary ;

Colonel Maschine, Envoy Extraordinary and Minister Plenipotentiary at Cettinjé, delegate plenipotentiary ;

Dr. Voïslave Veljkovitch, professor in the Faculty of Law at Belgrade, assistant delegate.

Siam.

For Siam :

His Excellency Phya Suriya Nuvatr, Envoy Extraordinary and Minister Plenipotentiary at St. Petersburg and Paris, first delegate, plenipotentiary ;

His Excellency Phya Visuddha Suriya Sakdi, Envoy Extraordinary and Minister Plenipotentiary at The Hague and London, second delegate, plenipotentiary ;

Mr. Ch. Corragioni d'Orelli, Counselor of Legation, third delegate ;

Mr. Édouard Rolin, Siamese Consul General in Belgium, fourth delegate.

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Servia :

His Excellency General Sava Grouitch, President of the Council of State, delegate plenipotentiary ;

His Excellency Mr. Milovan Milovanovitch, Envoy Extraordinary and Minister Plenipotentiary at Rome, member of the Permanent Court of Arbitration, delegate plenipotentiary ;

His Excellency Mr. Michel Militchévitch, Envoy Extraordinary and Minister Plenipotentiary at London and The Hague, delegate plenipotentiary.

Siam :

Major General Mom. Chatidej Udom, delegate plenipotentiary ;

Mr. Corragioni d'Orelli, Counselor of Legation at Paris, delegate plenipotentiary ;

Captain Luang Bhuvanarth Narübal, delegate plenipotentiary.

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For Sweden and Norway :

The Baron de Bildt, Envoy Extraordinary and Minister Plenipotentiary at the Royal Court of Italy, delegate plenipotentiary.

Sweden:

Colonel P. H. E. Brändström, Chief of First Regiment of Grenadiers of the Guard, technical delegate;

Captain C. A. M. de Hjulhammar, Swedish Navy, technical delegate.

Norway:

Mr. W. Konow, President of the Odelsting, technical delegate;

Major General J. J. Thaulow, Surgeon General of the Army and Navy, technical delegate.

For Switzerland :

Dr. Arnold Roth, Envoy Extraordinary and Minister Plenipotentiary at Berlin, delegate plenipotentiary;

Colonel Arnold Künzli, National Councilor, delegate;

Mr. Édouard Odier, National Councilor, delegate plenipotentiary.

1907

Sweden :

His Excellency Mr. Knut Hjalmar Leonard de Hammar-skjöld, Envoy Extraordinary and Minister Plenipotentiary at Copenhagen, ex-Minister of Justice, member of the Permanent Court of Arbitration, first delegate plenipotentiary;

Mr. Johannes Hellner, ex-Minister without Portfolio, ex-member of the Supreme Court of Sweden, member of the Permanent Court of Arbitration, second delegate plenipotentiary.

Colonel David Hedengren, Commanding a Regiment of Artillery, technical delegate; Commander Gustaf de Klint, Head of a Section on the Staff of the Royal Navy, technical delegate.

Switzerland :

His Excellency Mr. Gaston Carlin, Envoy Extraordinary and Minister Plenipotentiary at London and The Hague, delegate plenipotentiary;

Mr. Eugène Borel, Colonel on the General Staff, professor at the University of Geneva, delegate plenipotentiary;

Mr. Max Huber, professor of law at the University of Zürich, delegate plenipotentiary.

Sweden.

Switzerland.

1899

Turkey.

For Turkey:

His Excellency Turkhan Pasha, ex-Minister for Foreign Affairs, member of the Council of State, first delegate, plenipotentiary ;
 Noury Bey, Secretary General to the Ministry for Foreign Affairs, delegate plenipotentiary ;
 Abdullah Pasha, General of Division of the Staff, delegate plenipotentiary ;
 Mehemed Pasha, Rear-Admiral, delegate plenipotentiary.

Uruguay.

Venezuela.

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Turkey:

His Excellency Turkhan Pasha, Ambassador Extraordinary, Minister of the Evkaf, first delegate plenipotentiary ;
 His Excellency Rechid Bey, Turkish Ambassador at Rome, delegate plenipotentiary ;
 His Excellency Vice-Admiral Mehemed Pasha, delegate plenipotentiary ;
 Raif Bey, Legal Adviser on the Civil List, assistant delegate ;
 Colonel on the Staff Mehemed Saïd Bey, assistant delegate.

Uruguay:

Mr. José Batlle y Ordonez, ex-President of the Republic, member of the Permanent Court of Arbitration, first delegate plenipotentiary ;
 His Excellency Mr. Juan P. Castro, ex-President of the Senate, Envoy Extraordinary and Minister Plenipotentiary at Paris, member of the Permanent Court of Arbitration, delegate plenipotentiary ;
 Colonel Sebastian Buquet, Commanding a Regiment of Field Artillery, technical delegate.

The United States of Venezuela:

Mr. José Gil Fortoul, Chargé d'Affaires at Berlin, delegate plenipotentiary.

1899

In a series of meetings, between the 18th May and the 29th July, 1899, in which the constant desire of the delegates above-mentioned has been to realize, in the fullest manner possible, the generous views of the august initiator of the Conference and the intentions of their Governments, the Conference has agreed, for submission for signature by the plenipotentiaries, on the text of the Conventions and Declarations enumerated below and annexed to the present Act:

I. Convention for the peaceful adjustment of international differences.

II. Convention regarding the laws and customs of war on land.

1907

At a series of meetings, held from the 15th June to the 18th October, 1907, in which the above delegates were throughout animated by the desire to realize, in the fullest possible measure, the generous views of the august initiator of the Conference and the intentions of their Governments, the Conference drew up, for submission for signature by the plenipotentiaries, the text of the Conventions and of the Declaration enumerated below and annexed to the present Act:

I. Convention for the pacific settlement of international disputes.

II. Convention respecting the limitation of the employment of force for the recovery of contract debts.

III. Convention relative to the opening of hostilities.

IV. Convention respecting the laws and customs of war on land.

V. Convention respecting the rights and duties of neutral powers and persons in case of war on land.

VI. Convention relative to the status of enemy merchant ships at the outbreak of hostilities.

VII. Convention relative to the conversion of merchant ships into war-ships.

Preamble.

Conventions:
Pacific
settlements.

Contract debts.

Opening of
hostilities.

Land warfare.

Neutrals in
war on land.Enemy mer-
chant ships.

Conversion.

1899

Submarine
mines.Naval
bombardment.Geneva
Convention.Capture in
naval war.

Prize Court.

Neutrals in
naval war.Declarations:
Projectiles
from balloons.Asphyxiating
gases.Expanding
bullets.

III. Convention for the adaptation to maritime warfare of the principles of the Geneva Convention of the 22d August, 1864.

IV. Three Declarations:

1. To prohibit the launching of projectiles and explosives from balloons or by other similar new methods.
2. To prohibit the use of projectiles, the only object of which is the diffusion of asphyxiating or deleterious gases.
3. To prohibit the use of bullets which expand or flatten easily in the human body, such as bullets with a hard envelope, of which the envelope does not entirely cover the core, or is pierced with incisions.

1907

VIII. Convention relative to the laying of automatic submarine contact mines.

IX. Convention respecting bombardment by naval forces in time of war.

X. Convention for the adaptation to naval war of the principles of the Geneva Convention.

XI. Convention relative to certain restrictions with regard to the exercise of the right of capture in naval war.

XII. Convention relative to the creation of an International Prize Court.

XIII. Convention concerning the rights and duties of neutral Powers in naval war.

XIV. Declaration prohibiting the discharge of projectiles and explosives from balloons.

1899

These Conventions and Declarations shall form so many separate Acts. These Acts shall be dated this day, and may be signed up to the 31st December, 1899, by the plenipotentiaries of the Powers represented at the International Peace Conference at The Hague.

1907

These Conventions and Declaration shall form so many separate Acts. These Acts shall be dated this day, and may be signed up to the 30th June, 1908, at The Hague, by the plenipotentiaries of the Powers represented at the Second Peace Conference.

Signing
of above.

The Conference, actuated by the spirit of mutual agreement and concession characterizing its deliberations, has agreed upon the following Declaration, which, while reserving to each of the Powers represented full liberty of action as regards voting, enables them to affirm the principles which they regard as unanimously admitted:

It is unanimous—

1. In admitting the principle of compulsory arbitration.

2. In declaring that certain disputes, in particular those relating to the interpretation and application of the provisions of international agreements, may be submitted to compulsory arbitration without any restriction.

Finally, it is unanimous in proclaiming that, although it has not yet been found feasible to conclude a Convention in this sense, nevertheless the divergences of opinion which have come to light have not exceeded the bounds of judicial controversy, and that, by

Declaration
respecting
obligatory
arbitration.

1899

Resolution
respecting
limitation
of military
expenditure.

Guided by the same sentiments, the Conference has adopted unanimously the following Resolution:

The Conference is of opinion that the restriction of military charges, which are at present a heavy burden on the world, is extremely desirable for the increase of the material and moral welfare of mankind.

Vœux.

It has besides, formulated the following *Vœux*:

1. The Conference, taking into consideration the preliminary step taken by the Swiss Federal Government for the revision of the Geneva Convention, expresses the wish that steps may be shortly taken for the assembly of a special Conference having for its object the revision of that Convention.

This wish was voted unanimously.

1907

working together here during the past four months, the collected Powers not only have learnt to understand one another and to draw closer together, but have succeeded in the course of this long collaboration in evolving a very lofty conception of the common welfare of humanity.

The Conference has further unanimously adopted the following Resolution:

The Second Peace Conference confirms the Resolution adopted by the Conference of 1899 in regard to the limitation of military expenditure; and inasmuch as military expenditure has considerably increased in almost every country since that time, the Conference declares that it is eminently desirable that the Governments should resume the serious examination of this question.

It has besides expressed the following *Vœux*:

1. The Conference calls the attention of the signatory Powers to the advisability of adopting the annexed draft Convention¹ for the creation of a Judicial Arbitration Court, and of bringing it into force as soon as an agreement has been reached respecting the selection of the judges and the constitution of the Court.

1. (1899) Revision of Geneva Convention.
(1907) Judicial Arbitration Court.

¹Post, p. 31.

1899

2. The Conference expresses the wish that the questions of the rights and duties of neutrals may be inserted in the program of a Conference in the near future.
3. The Conference expresses the wish that the questions with regard to rifles and naval guns, as considered by it, may be studied by the Governments with the object of coming to an agreement respecting the employment of new types and calibers.
4. The Conference expresses the wish that the Governments, taking into consideration the proposals made at the Conference, may examine the possibility of an agreement as to the limitation of armed forces by land and sea, and of war budgets.
5. The Conference expresses the wish that the proposal, which contemplates the declaration of the inviolability of private property in naval warfare,

1907

2. The Conference expresses the opinion that, in case of war, the responsible authorities, civil as well as military, should make it their special duty to ensure and safeguard the maintenance of pacific relations, more especially of the commercial and industrial relations between the inhabitants of the belligerent States and neutral countries.
 3. The Conference expresses the opinion that the Powers should regulate, by special treaties, the position, as regards military charges, of foreigners residing within their territories.
 4. The Conference expresses the opinion that the preparation of regulations relative to the laws and customs of naval war should figure in the program of the next Conference, and that in any case the Powers may apply, as far as possible, to war by sea the principles of the Convention relative to the laws and customs of war on land.
- Finally, the Conference recommends to the Powers the assembly of a Third Peace Conference, which might be held within a period corresponding to that

2. (1899) Rights and duties of neutrals.
(1907) Maintenance of relations between belligerents and neutrals.

3. (1899) Types and calibers of guns.
(1907) Military charges on resident aliens.

4. (1899) Limitation of armed forces and budgets.
(1907) Laws and customs of naval war.

5. (1899) Private property in naval war.
(1907) Third Peace Conference.

1899

may be referred to a subsequent Conference for consideration.

1907

which has elapsed since the preceding Conference, at a date to be fixed by common agreement between the Powers, and it calls their attention to the necessity of preparing the program of this Third Conference a sufficient time in advance to ensure its deliberations being conducted with the necessary authority and expedition.

In order to attain this object the Conference considers that it would be very desirable that, some two years before the probable date of the meeting, a preparatory committee should be charged by the Governments with the task of collecting the various proposals to be submitted to the Conference, of ascertaining what subjects are ripe for embodiment in an international regulation, and of preparing a program which the Governments should decide upon in sufficient time to enable it to be carefully examined by the countries interested. This committee should further be intrusted with the task of proposing a system of organization and procedure for the Conference itself.

6. (1899) Naval bombardment of ports, etc.

6. The Conference expresses the wish that the proposal to settle the question of the bombardment of ports, towns, and villages by a naval force may be referred to a subse-

1899

quent Conference for consideration.

The last five wishes were voted unanimously, saving some abstentions.

In faith of which, the plenipotentiaries have signed the present Act, and have affixed their seals thereto.

Done at The Hague, 29th July, 1899, in one copy only, which shall be deposited in the Ministry for Foreign Affairs, and of which copies, duly certified, shall be delivered to all the Powers represented at the Conference.

[Here follow signatures.]

1907

In faith whereof the Plenipotentiaries have signed the present Act and have affixed their seals thereto.

Done at The Hague, the 18th October, 1907, in a single copy, which shall remain deposited in the archives of the Netherland Government, and duly certified copies of which shall be sent to all the Powers represented at the Conference.

[Here follow signatures.]

Signing

Deposit of original.

Certified copies to Powers.

ANNEX TO THE FIRST OPINION EXPRESSED BY THE SECOND PEACE CONFERENCE

DRAFT CONVENTION RELATIVE TO THE CREATION OF A JUDICIAL ARBITRATION COURT

PART I.—*Constitution of the Judicial Arbitration Court*

Constitution of Court.

ARTICLE 1

With a view to promoting the cause of arbitration, the contracting Powers agree to constitute, without altering the status of the Permanent Court of Arbitration, a Judicial Arbitration Court, of free and easy access, composed of judges representing the various juridical systems of the world, and capable of insuring continuity in jurisprudence of arbitration.

Status of Permanent Court of Arbitration not altered.

ARTICLE 2

The Judicial Arbitration Court is composed of judges and deputy judges chosen from persons of the highest moral reputation, and all

Qualifications of members of Court.

fulfilling conditions qualifying them, in their respective countries, to occupy high legal posts, or be jurists of recognized competence in matters of international law.

The judges and deputy judges of the Court are appointed, as far as possible, from the members of the Permanent Court of Arbitration. The appointment shall be made within the six months following the ratification of the present Convention.

ARTICLE 3

Term of service.

The judges and deputy judges are appointed for a period of twelve years, counting from the date on which the appointment is notified to the Administrative Council created by the Convention for the pacific settlement of international disputes. Their appointments can be renewed.

Vacancies.

Should a judge or deputy judge die or retire, the vacancy is filled in the manner in which his appointment was made. In this case, the appointment is made for a fresh period of twelve years.

ARTICLE 4

Rank of members.

The judges of the Judicial Arbitration Court are equal and rank according to the date on which their appointment was notified. The judge who is senior in point of age takes precedence when the date of notification is the same.

The deputy judges are assimilated, in the exercise of their functions, with the judges. They rank, however, below the latter.

ARTICLE 5

Diplomatic privileges and immunities.

The judges enjoy diplomatic privileges and immunities in the exercise of their functions, outside their own country.

Before taking their seat, the judges and deputy judges must swear, before the Administrative Council, or make a solemn affirmation to exercise their functions impartially and conscientiously.

ARTICLE 6

Special delegation.

The Court annually nominates three judges to form a special delegation and three more to replace them should the necessity arise. They may be reelected. They are balloted for. The persons who

secure the largest number of votes are considered elected. The delegation itself elects its president, who, in default of a majority, is appointed by lot.

A member of the delegation can not exercise his duties when the Power which appointed him, or of which he is a national, is one of the parties.

The members of the delegation are to conclude all matters submitted to them, even if the period for which they have been appointed judges has expired.

ARTICLE 7

A judge may not exercise his judicial functions in any case in which he has, in any way whatever, taken part in the decision of a national tribunal, of a tribunal of arbitration, or of a commission of inquiry, or has figured in the suit as counsel or advocate for one of the parties. Disqualification of a judge.

A judge can not act as agent or advocate before the Judicial Arbitration Court or the Permanent Court of Arbitration, before a special tribunal of arbitration or a commission of inquiry, nor act for one of the parties in any capacity whatsoever so long as his appointment lasts.

ARTICLE 8

The Court elects its president and vice-president by an absolute majority of the votes cast. After two ballots, the election is made by a bare majority and, in case the votes are even, by lot. Court elects its president and vice-president.

ARTICLE 9

The judges of the Judicial Arbitration Court receive an annual salary of 6,000 Netherland florins. This salary is paid at the end of each half-year, reckoned from the date on which the Court meets for the first time. Compensation of judges.

In the exercise of their duties during the sessions or in the special cases covered by the present Convention, they receive the sum of 100 florins *per diem*. They are further entitled to receive a traveling allowance fixed in accordance with regulations existing in their own country. The provisions of the present paragraph are applicable also to a deputy judge when acting for a judge.

These emoluments are included in the general expenses of the Court dealt with in Article 31, and are paid through the International Bureau

created by the Convention for the pacific settlement of international disputes.

ARTICLE 10

The judges may not accept from their own Government or from that of any other Power any remuneration for services connected with their duties in their capacity of members of the Court.

ARTICLE 11

Seat of
the Court.

The seat of the Judicial Court of Arbitration is at The Hague, and can not be transferred, unless absolutely obliged by circumstances, elsewhere.

The delegation may choose, with the assent of the parties concerned, another site for its meetings, if special circumstances render such a step necessary.

ARTICLE 12

Functions of
Administrative
Council.

The Administrative Council fulfils with regard to the Judicial Court of Arbitration the same functions as to the Permanent Court of Arbitration.

ARTICLE 13

Functions of
International
Bureau.

The International Bureau acts as registry to the Judicial Court of Arbitration, and must place its offices and staff at the disposal of the Court. It has charge of the archives and carries out the administrative work.

The secretary general of the Bureau discharges the functions of registrar.

Secretaries,
etc., appointed
by Court.

The necessary secretaries to assist the registrar, translators and shorthand writers are appointed and sworn in by the Court.

ARTICLE 14

Sessions.

The Court meets in session once a year. The session opens the third Wednesday in June and lasts until all the business on the agenda has been transacted.

The Court does not meet in session if the delegation considers that such meeting is unnecessary. However, when a Power is party in a case actually pending before the Court, the pleadings in which are closed, or about to be closed, it may insist that the session should be held.

When necessary, the delegation may summon the Court in extraordinary session.

ARTICLE 15

A report of the doings of the Court shall be drawn up every year by the delegation. This report shall be forwarded to the contracting Powers through the International Bureau. It shall also be communicated to the judges and deputy judges of the Court. Report.

ARTICLE 16

The judges and deputy judges, members of the Judicial Arbitration Court, can also exercise the functions of judge and deputy judge in the International Prize Court. Judges may exercise functions in International Prize Court.

PART II.—*Competency and Procedure*

Competency and procedure.

ARTICLE 17

The Judicial Court of Arbitration is competent to deal with all cases submitted to it, in virtue either of a general undertaking to have recourse to arbitration or of a special agreement. Competency of Court.

ARTICLE 18

The delegation is competent—

Competency of delegation.

1. To decide the arbitrations referred to in the preceding article, if the parties concerned are agreed that the summary procedure, laid down in Part IV, Chapter IV, of the Convention for the pacific settlement of international disputes is to be applied;

2. To hold an inquiry under and in accordance with Part III of the said Convention, in so far as the delegation is intrusted with such inquiry by the parties acting in common agreement. With the assent of the parties concerned, and as an exception to Article 7, paragraph 1, the members of the delegation who have taken part in the inquiry may sit as judges, if the case in dispute is submitted to the arbitration of the Court or of the delegation itself.

ARTICLE 19

The delegation is also competent to settle the *compromis* referred to in Article 52 of the Convention for the pacific settlement of international disputes if the parties are agreed to leave it to the Court. Delegation may draw up *compromis* if parties agree;

It is equally competent to do so, even when the request is only made by one of the parties concerned, if all attempts have failed to reach an understanding through the diplomatic channel, in the case of—

or in case of
a dispute
governed by a
general treaty;

1. A dispute covered by a general treaty of arbitration concluded or renewed after the present Convention has come into force, providing for a *compromis* in all disputes, and not either explicitly or implicitly excluding the settlement of the *compromis* from the competence of the delegation. Recourse can not, however, be had to the Court if the other party declares that in its opinion the dispute does not belong to the category of questions to be submitted to compulsory arbitration, unless the treaty of arbitration confers upon the arbitration tribunal the power of deciding this preliminary question.

or of one
originating from
contract debts.

2. A dispute arising from contract debts claimed from one Power by another Power as due to its nationals, and for the settlement of which the offer of arbitration has been accepted. This arrangement is not applicable if acceptance is subject to the condition that the *compromis* should be settled in some other way.

ARTICLE 20

Parties may
nominate
judges.

Each of the parties concerned may nominate a judge of the Court to take part, with power to vote, in the examination of the case submitted to the delegation.

If the delegation acts as a commission of inquiry, this task may be intrusted to persons other than the judges of the Court. The traveling expenses and remuneration to be given to the said persons are fixed and borne by the Powers appointing them.

ARTICLE 21

Contracting
Powers only
to have access
to Court.

The contracting Powers only may have access to the Judicial Arbitration Court set up by the present Convention.

ARTICLE 22

Rules of
procedure.

The Judicial Court of Arbitration follows the rules of procedure laid down in the Convention for the pacific settlement of international disputes, except in so far as the procedure is laid down in the present Convention.

ARTICLE 23

The Court determines what language it will itself use and what languages may be used before it. Languages.

ARTICLE 24

The International Bureau serves as channel for all communications to be made to the judges during the interchange of pleadings provided for in Article 63, paragraph 2, of the Convention for the pacific settlement of international disputes. International
Bureau channel
for com-
munication.

ARTICLE 25

For all notices to be served, in particular on the parties, witnesses, or experts, the Court may apply direct to the Government of the State on whose territory the service is to be carried out. The same rule applies in the case of steps being taken to procure evidence. Notices to
be served.

The requests addressed for this purpose can only be rejected when the Power applied to considers them likely to impair its sovereign rights or its safety. If the request is complied with, the fees charged must only comprise the expenses actually incurred.

The Court is equally entitled to act through the Power on whose territory it sits.

Notices to be given to parties in the place where the Court sits may be served through the International Bureau.

ARTICLE 26

The discussions are under the control of the president or vice-president, or, in case they are absent or can not act, of the senior judge present. Control of
discussions.

The judge appointed by one of the parties can not preside.

ARTICLE 27

The Court considers its decisions in private, and the proceedings are secret. Decisions and
proceedings.

All decisions are arrived at by a majority of the judges present. If the number of judges is even and equally divided, the vote of the junior judge, in the order of precedence laid down in Article 4, paragraph 1, is not counted. Decisions
by majority.

ARTICLE 28

Requisites of judgment.

The judgment of the Court must give the reasons on which it is based. It contains the names of the judges taking part in it; it is signed by the president and registrar.

ARTICLE 29

Payment of costs.

Each party pays its own costs and an equal share of the costs of the trial.

ARTICLE 30

Articles 21 and 29 applicable to procedure before delegation.

The provisions of Articles 21 to 29 are applicable by analogy to the procedure before the delegation.

When the right of attaching a member to the delegation has been exercised by one of the parties only, the vote of the member attached is not recorded if the votes are evenly divided.

ARTICLE 31

Expenses of Court.

The general expenses of the Court are borne by the contracting Powers.

The Administrative Council applies to the Powers to obtain the funds requisite for the working of the Court.

ARTICLE 32

Rules of procedure.

The Court itself draws up its own rules of procedure, which must be communicated to the contracting Powers.

After the ratification of the present Convention the Court shall meet as early as possible in order to elaborate these rules, elect the president and vice-president, and appoint the members of the delegation.

ARTICLE 33

Modifications in provisions respecting procedure.

The Court may propose modifications in the provisions of the present Convention concerning procedure. These proposals are communicated through the Netherland Government to the contracting Powers, which will consider together as to the measures to be taken.

PART III.—*Final Provisions*

Final provisions.

ARTICLE 34

The present Convention shall be ratified as soon as possible.

Ratification.

The ratifications shall be deposited at The Hague.

Deposit at The Hague.

A *procès-verbal* of the deposit of each ratification shall be drawn up, of which a duly certified copy shall be sent through the diplomatic channel to all the signatory Powers.

ARTICLE 35

The Convention shall come into force six months after its ratification.

Duration of Convention.

It shall remain in force for twelve years, and shall be tacitly renewed for periods of twelve years, unless denounced.

The denunciation must be notified, at least two years before the expiration of each period, to the Netherland Government, which will inform the other Powers.

Denunciation.

The denunciation shall only have effect in regard to the notifying Power. The Convention shall continue in force as far as the other Powers are concerned.

Notifying Power only affected.

SIGNATURES AND RESERVATION¹

The 1899 Final Act was signed by plenipotentiaries of all the Powers represented at the First Conference, to wit:

Austria-Hungary	Montenegro
Belgium	Netherlands
Bulgaria	Persia
China	Portugal
Denmark	Roumania
France	Russia
Germany	Servia
Great Britain	Siam
Greece	Spain
Italy	Sweden and Norway
Japan	Switzerland
Luxemburg	Turkey
Mexico	United States

¹The Final Acts, being summaries of the proceedings of the Conferences, are not conventional agreements and accordingly are not ratified.

The 1907 Final Act was signed by the above-mentioned Powers,¹ as well as by the following:

Argentine Republic	Guatemala
Bolivia	Haiti
Brazil	Nicaragua
Chile	Panama
Colombia	Peru
Cuba	Salvador
Dominican Republic	Uruguay
Ecuador	Venezuela

*Reservation:*²

Switzerland

Under reservation of *Vau* No. 1, which the Swiss Federal Council does not accept.

¹In 1907 Norway and Sweden signed as separate Powers.

²Reservation made at signature.

